

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

**TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE**

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12501 of 2005

Between:

Peyyalanarayana Murthy S/o.Perupalli, Hindu, R/o.Vykuntapuram Village,
Cherukumpalem Panchayat, Rajavommangi Mandal,

E.G. District.

..... PETITIONER

AND

- 1 The Additional Agent to the Government, East Godavari District at Rampachoeavaram.
- 2 The Special Deputy Collector (Tribal Welfare) Rampachodavaram, E.G.District.
- 3 The Special Deputy Tahsildar (Tribal Welfare) Rajavommangi E.G.District.
- 4 The Mandal Revenue Officer, Rajavommangi, E.G.District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus or any other appropriate writ, declaring as illegal, arbitrary and violation of Art.21 of the Constitution of India and the action of the 1st respondent in not granting stay of the orders of the 2nd respondent in LTRP No.241 of 2004 dt.23.12.2004 in spite of statutory appeal filed by the petitioner in CMA No. of 2005 dt.5.5.2005 against the orders of the 2nd respondent in LTRP No.241 of 2004 dt.23.12.2004 and it is further consequentially prayed that this Hon'ble Court may be pleased to suspend the operation of the order in LTRP No.241 of 2004 dt.23.12.2004 on the file of the 2nd respondent pending disposal of the CMA No. of 2005 dt.5.5.2005 on the file of the 1st respondent and pass such other or further order.

Counsel for the Petitioner : MR.S.R.SANKU

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following :

ORDER:

-

This writ petition is filed by the petitioner aggrieved by the inaction of the 1st respondent in granting stay of dispossession pending disposal of the revision filed under the provisions of the A.P. Land Transfer Regulations.

2. According to the petitioner, the 2nd respondent initiated Proceedings under the A.P. Land Transfer Regulations, and after conducting enquiry, passed orders of eviction of the petitioner from the land in an extent of Ac. 5.00 in Sy.No.26/1A, and Ac.4.89 cents in Sy.No.26/1B, and Ac.3.58 cents in Sy.No.28/2, situated at Vaikuntapuram village of Rajavommangi Mandal, East Godavari District. Aggrieved by that the petitioner filed an appeal before the 1st respondent. Though the petitioner sought for stay of the order of the 2nd respondent pending disposal of the appeal, the 1st respondent did not pass any orders. Hence, the petitioner has come up with the present writ petition.

3. Heard both the learned counsel and considered the material on record.

4. The grievance of the petitioner is that that the 1st respondent did not pass any orders of stay pending disposal of the appeal filed before him against the order of the 2nd respondent. In view of the pendency of the appeal before the 1st respondent, the writ petition is disposed of directing the 1st respondent to dispose of the appeal expeditiously, preferably within a period of three months. Pending disposal of the appeal, the respondents are directed not to dispossess the petitioner from the lands in question.

5. The writ petition is accordingly disposed of. No costs.

S.Ananda Reddy, J.

Dt. 05.07.2005

Kvh

To

- 1 The Additional Agent to the Government, East Godavari District at Rampachoeavaram.
- 2 The Special Deputy Collector (Tribal Welfare) Rampachodavaram, E.G.District.
- 3 The Special Deputy Tahsildar (Tribal Welfare) Rajavommangi E.G.District.
- 4 The Mandal Revenue Officer, Rajavommangi, E.G.District
- 5) 2 CD copies
6. 2 CCs to Government Pleader for Social Welfare,
High Court Buildings, Hyderabad (OUT).

HON'BLE MR. JUSTICE S. ANANDA REDDY

W.P.NO. 12501 OF 2005

O R D E R

05..07..2005